

FORM PTO-1390 MODIFIED	U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTORNEY'S DOCKET NUMBER <b>4750-46</b>
<b>TRANSMITTAL LETTER TO THE UNITED STATES 'DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371</b>		U.S. APPLICATION NO. (If known, see 37 C.F.R. 1.5) <b>10/578864</b> Unknown	
INTERNATIONAL APPLICATION NO. <b>PCT/EP2004/012811</b>	INTERNATIONAL FILING DATE <b>11 November 2004</b>	PRIORITY DATE CLAIMED <b>11 November 2003</b>	
<b>TITLE OF INVENTION</b> <b>HEADBAND DEVICE FOR AN OXYGEN MASK, AND METHOD FOR THE PRODUCTION THEREOF</b>			
<b>APPLICANT(S) FOR DO/EO/US</b> <b>LANG ET AL.</b>			
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:			
<ol style="list-style-type: none"> <li>1. <input checked="" type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a submission under 35 U.S.C. 371.</li> <li>2. <input type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a submission under 35 U.S.C. 371.</li> <li>3. <input checked="" type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.</li> <li>4. <input type="checkbox"/> The U.S. has been elected (Article 31).</li> <li>5. A copy of the International Application as filed (35 U.S.C. 371(c)(2)).             <ol style="list-style-type: none"> <li>a. <input checked="" type="checkbox"/> WO 2005/046776 is attached hereto (18 pages specification, claims &amp; abstract (21 claims), 5 sheets drawings).</li> <li>b. <input checked="" type="checkbox"/> has been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</li> </ol> </li> <li>6. <input checked="" type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(3))             <ol style="list-style-type: none"> <li>a. <input checked="" type="checkbox"/> is attached hereto (14 pages specification, claims &amp; abstract (21 claims), 5 sheets drawings, 0 page Certificate of Translation).</li> <li>b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).</li> </ol> </li> <li>7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))             <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).</li> <li>b. <input type="checkbox"/> have been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has <b>NOT</b> expired.</li> <li>d. <input type="checkbox"/> have not been made and will not be made.</li> </ol> </li> <li>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</li> <li>9. a. <input type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).             <ol style="list-style-type: none"> <li>b. <input type="checkbox"/> Declaration was submitted to the International Bureau during International Phase (see copies of Declaration ( page Form PCT/RO/101 and Form PCT/IB/371 and first page of printed publication acknowledging receipt thereof attached).</li> </ol> </li> <li>10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</li> </ol> <p><b>Items 11 To 20 below concern document(s) or information included:</b></p> <ol style="list-style-type: none"> <li>11. <input checked="" type="checkbox"/> An Information Disclosure Statement under 37 C.F.R. 1.97 and 1.98.</li> <li>12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 C.F.R. 3.28 and 3.31 is included.</li> <li>13. a. <input checked="" type="checkbox"/> A <b>FIRST</b> preliminary amendment.</li> <li>b. <input type="checkbox"/> A <b>SECOND</b> or <b>SUBSEQUENT</b> preliminary amendment.</li> <li>14. <input type="checkbox"/> An Application Data Sheet under 37 C.F.R. § 1.76.</li> <li>15. <input type="checkbox"/> A substitute specification.</li> <li>16. <input type="checkbox"/> A change of power of attorney and/or address letter.</li> <li>17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821-1.825.</li> <li>18. <input type="checkbox"/> A second copy of the published international application under 35 U.S.C. 154(d)(4).</li> <li>19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).</li> <li>20. <input checked="" type="checkbox"/> Other items or information. International Search Report (English and German)</li> </ol>			

U.S. APPLICATION NO. (if known, see 37 C.F.R. 1.5) <b>101578864</b>	INTERNATIONAL APPLICATION NO. <b>PCT/EP2004/012811</b>	ATTORNEY'S DOCKET NUMBER <b>4750-46</b>	
<input checked="" type="checkbox"/> The following fees are submitted:			
<b>'BASIC NATIONAL FEE (37 C.F.R. 1.492(a)(1)-(5)):</b>			
21. <input checked="" type="checkbox"/> Basic national fee ..... \$300.00 (1631)/\$150.00 (2631)      \$ 300.00 22. <input checked="" type="checkbox"/> Examination Fee ..... \$200.00 (1633)/\$100.00 (2633)      \$ 200.00 23. <input checked="" type="checkbox"/> Search Fee ..... \$100 (1641)/\$50 (2641) ..... \$400 (1642)/\$200 (2642) ..... \$500.00 (1632)/\$250.00 (2632)			
<b>TOTAL OF ABOVE CALCULATIONS</b>			
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.			
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	
23 -100	0	/50 = 0.00	
<b>RATE</b>			
\$0.00 (1681) \$0.00 (2681)			
Surcharge of \$130.00 (1617)/\$65.00 (2617) for furnishing the oath or declaration later than <input checked="" type="checkbox"/> 30 months from the earliest claimed priority date (37 C.F.R. 1.492(e)).			
<b>CLAIMS</b> <b>NUMBER FILED</b> <b># EXTRA</b> <b>RATE</b>			
Total Claims	21 minus 20 =	1 X	\$50.00 (1615)/ \$25.00 (2615)
Independent Claims	3 minus 3 =	0 X	\$200.00 (1614) \$100.00 (2614)
<b>MULTIPLE DEPENDENT CLAIMS(S) (if applicable)</b>			\$360.00 (1616)/\$180.00 (2616)
Petition is hereby made to extend the current due date so as to cover the filing date of this paper and attachment(s): One Month Extension \$120.00 (1251)/\$60.00 (2251); Two Month Extensions \$450.00 (1252)/\$225.00 (2252); Three Month Extensions \$1020.00 (1253)/\$510.00 (2253); Four Month Extensions \$1590.00 (1254)/\$795.00 (2254)			\$ 0.00
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27.			
Processing fee of \$130.00 (1618), for furnishing the English Translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 C.F.R. 1.492(f)). + 0.00			
<b>TOTAL NATIONAL FEE =</b>			<b>\$ 1080.00</b>
Fee for recording the enclosed assignment (37 C.F.R. 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 C.F.R. 3.28, 3.31). \$40.00 (8021) per property + 0.00			
Fee for Petition to Revive Unintentionally Abandoned Application; \$1500.00 (1453) / \$750.00 (2453)			\$ 0.00
<b>TOTAL FEES ENCLOSED =</b>			<b>\$ 1080.00</b>
			Amount to be refunded: \$
			Amount to be Charged: \$
a. <input type="checkbox"/> A check in the amount of \$1080.00 to cover the above fees is enclosed. b. <input type="checkbox"/> Please charge my Deposit Account No. 14-1140 in the amount of \$ _____ to cover the above fees. A duplicate copy of this form is enclosed. c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 14-1140. A <u>duplicate</u> copy of this form is enclosed. d. <input checked="" type="checkbox"/> <b>CREDIT CARD PAYMENT FORM ATTACHED.</b> e. <input checked="" type="checkbox"/> The entire content of International Application No. PCT/EP2004/012811 and any U.S. and foreign application(s) corresponding thereto, and DE 103 52 608.0 and DE 103 52 607.2, referred to in this application is/are hereby incorporated by reference in this application.			
NOTE: Where an appropriate time limit under 37 C.F.R. 1.494 or 1.495 has not been met, a petition to revive (37 C.F.R. 1.137(a) or (b) must be filed and granted to restore the application to pending status.			
<b>CORRESPONDENCE ADDRESS</b> Direct all correspondence to: <input checked="" type="checkbox"/> Customer Number: <b>23117</b>			
Type Customer Number here 			
Telephone: (703) 816-4000 PTB:jsm			
Paul T. Bowen NAME			
38,009      May 11, 2006 REGISTRATION NUMBER      Date			